

[PRINT ON CITY LETTERHEAD]

NUISANCE ABATEMENT ORDER

To property owner:

James Allen
24614 50th Avenue Ct. East
Graham, Washington 98338

With a copy to:

Mark Allen
P.O. Box 1308
Wheatland, California 95692

Subject real property:

408 Second Street, Wheatland, CA 95692
APN 015-243-0004

YOU ARE HEREBY NOTIFIED by the Planning Commission of the City of Wheatland that, after considering the testimony and evidence submitted at the appeal hearing regarding the above-referenced property held on November 1, 2016 at 6:00 p.m. at the Wheatland Community Center, 101 C Street in Wheatland, California, the Commission finds that the following nuisance conditions, activities, and uses exist on the premises described above:

The storage on the property of items listed in Exhibit A, attached hereto and incorporated herein, in violation of the following provisions of Wheatland Municipal Code section 8.08.040:

- “An accumulation of abandoned, discarded or dilapidated objects, including . . . dismantled or inoperative vehicles; vehicle parts and equipment; machine parts; . . . containers; packing boxes and materials; lumber and wood; pallets; salvage materials; and . . . similar matter that constitutes a threat to public health or safety or renders any premises unsightly and detrimental to the general public welfare.”
- “Maintaining or failing to maintain property so as to allow conditions that are dangerous and accessible to children or other members of the public, including . . . neglected or unsupervised vehicles, machinery, equipment”
- “Materials . . . otherwise stored or stacked on a property in a disorderly or unsightly manner”
- “. . . [R]ecreation vehicles, motor vehicles, parts thereof, or other articles of personal property that are left in a state of partial construction . . . or disrepair.”
- “The storage of firewood or other flammable materials other than in compliance with standards relating to the safe storage of combustible

materials established in writing by the Wheatland fire authority or by applicable federal, state or local law.”

- “Maintaining . . . stagnant water, combustible materials, machinery, equipment . . . , or similar materials . . . that constitute a fire, health or safety hazard or other danger to public health, safety or welfare.”
- “Any other condition or use of property that the enforcement officer reasonably determines to be a threat to the public peace, health, safety or welfare because (i) the condition or use renders the property unsafe, dangerous or hazardous, or (ii) the condition or use that is so out of harmony with the standards, conditions and uses of properties in the vicinity as to cause substantial diminution of the enjoyment, use or value of such other property.”
- “Failure to comply with the requirements set forth in any city zoning approval or permit applicable to the premises.”

Required corrective action: Removal of the items listed on Exhibit A and rehabilitation of the subject property, with all required permits, approvals and inspections.

YOU ARE ORDERED to commence the required corrective action within 20 days of receiving this order (by November __, 2016) and to complete removal of all items listed on Exhibit A by December 31, 2016. If you do not perform the required corrective actions in a timely manner, the City shall abate the public nuisance conditions, activities, and uses on the subject property. In the event of abatement by City personnel, all personal property constituting a public nuisance may be removed and destroyed or disposed of, without regard to its actual or salvage value. In such instances, the City shall seek to recover all abatement costs from you either as a special assessment or a lien against the subject as allowed by chapter 8 of the Wheatland Municipal Code and applicable state laws, and in any manner allowed by law.

You may seek judicial review of that decision pursuant to Code of Civil Procedure section 1094.5.

Dated: November __, 2016

Chair, Planning Commission
City of Wheatland

EXHIBIT A

[LIST OF ITEMS ON THE PROPERTY AS OF OCTOBER 28, 2016]